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13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 SAN JOSE DIVISION

16 *E-FILED - 3/5/07*

17 UNITED STATES OF AMERICA,) No. CR 05-00812 RMW
18 Plaintiff,)
19 v.) [] ORDER EXCLUDING TIME
20 SUIBIN ZHANG,)
21 Defendant.)
22

23 1. The parties appeared on February 26, 2007 for a status conference. The parties
24 advised the Court that, given the volume of discovery, including electronic discovery, the
25 defense would need additional time in order to effectively prepare the case for trial or resolution.

26 2. The parties requested a continuance until April 16, 2007 and agreed that such
27 time should be excluded from the Speedy Trial clock. The parties advised the Court that this
28 case is deemed "complex" within the meaning of 18 U.S.C. § 3161(h)(8)((B)(ii), based on the
volume of electronic discovery, the nature of the allegations contained in the indictment, and the
need for both parties to consult with, and for the defense to retain, expert witnesses in
preparation for a possible trial.

29 //

30 [] ORDER RE: EXCL.
31 OF TIME [CR 05-00812 RMW]

1 3. Accordingly, and with the explicit agreement of the parties in open court, this
2 Court scheduled the next appearance to occur on **April 16, 2007**, at 9:00 a.m., before The
3 Honorable Ronald M. Whyte, United States District Judge.

4 Based upon the foregoing representations made by the parties, and good cause appearing
5 therefor,

6 **IT IS HEREBY ORDERED** that the time between February 26, 2007 and April 16,
7 2007 — a total of 49 days — shall be excluded from the computation of the period within which
8 the trial of this matter must commence, for the reasons set forth by the parties in open court. The
9 Court finds that the ends of justice outweigh the interests of the public and the parties in a
10 speedier trial based upon the grounds set forth above and finds that the time is appropriately
11 excluded pursuant to 18 U.S.C. § 3161(h)(8)(A) and (B)(i) and (ii).

12
13 IT IS SO ORDERED.

14
15 DATED: 3/5/07

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge

16
17 Copies to be distributed to:

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